

CREATING MOUNT RUSHMORE MEMORIAL COMMISSION

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[PUBLIC—No. 805—70TH CONGRESS]

[S. 3042]

AN ACT Creating the Mount Rushmore National Memorial Commission and defining its purposes and powers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created and established, to be known as the Mount Rushmore National Memorial Commission (hereafter referred to as the commission), to consist of twelve members, who shall be appointed by the President. The members shall serve at the pleasure of the President, who shall fill all vacancies that from time to time occur.

The members of the commission shall serve without compensation, except that their actual expenses in connection with the work of the commission may be paid from any funds appropriated for the purposes of this Act or acquired by other means hereafter authorized: *Provided*, That the secretary may be paid such salary for his services as may be determined by the commission. The commission is also authorized to pay such actual and necessary expenses as the secretary may incur in the performance of his duties. Such salary and expenses shall be paid by the treasurer of the commission upon the order of the secretary thereof and then only when approved and countersigned by the chairman of the executive committee.

SEC. 2. The commission when appointed shall organize by electing a chairman, a vice chairman, a secretary, and a treasurer: *Provided*, That a treasurer may be selected outside of the commission and may be a bank or trust company. Such treasurer shall execute a bond so conditioned and in such amount as shall insure the protection of funds coming into his possession.

The commission may also create from its own membership an executive committee of five, which shall exercise such powers and functions within the purview of this Act as may be authorized by the commission.

SEC. 3. The purpose of the commission is to complete the carving of the Mount Rushmore National Memorial to consist of heroic figures of Washington, Jefferson, Lincoln, and Roosevelt, together with an entablature upon which there shall be cut a suitable inscription, to be inscribed by Calvin Coolidge, and to landscape the contiguous grounds and construct the entrances thereto. Such memorial is to be constructed according to designs and models by Gutzon Borglum, now owned or contracted for by the Mount Harney Memorial Association of South Dakota. No charge shall ever be made for admission to the memorial grounds or for viewing the memorial.

SEC. 4. The commission is authorized—

(a) To receive and take over all property, contracts, rights, and moneys now in the hands of and possessed by the Mount Harney Memorial Association, including memoranda, records, sketches, models, and the incomplete figures on Mount Rushmore.

(b) To receive funds and pledges to cover the expense of finishing such memorial, and to pay out the same upon properly receipted vouchers to persons entitled.

(c) To employ the services of such artists, sculptors, landscape architects, and others as it shall determine to be necessary to complete said memorial, including the landscaping of the grounds and construction of the entrances thereto.

(d) To exercise such powers and functions as are necessary and proper to carry out the purposes of this Act.

SEC. 5. That not more than one-half of the cost of such memorial and landscaping shall be borne by the United States, and not to exceed \$250,000 is hereby authorized to be appropriated for the purpose. Upon requisition of the executive committee herein provided for, the proportionate share of the United States shall be advanced to the treasurer of said commission from time to time by the Secretary of the Treasury out of any available appropriation, and in sufficient amounts to match the funds advanced from other sources to said commission, whether such funds are in the hands of its treasurer or have already been expended upon such memorial by the commission or by its predecessor, the Mount Harney Memorial Association: *Provided*, That the Secretary of the Treasury shall first be satisfied that the funds received from sources other than the United States are actually available in the hands of the treasurer of the commission or have been properly expended in carrying out the purposes of this Act.

SEC. 6. That such commission, on or before the 1st day of December of each year, shall transmit to Congress a report of its activities and proceedings for the preceding year, including a full and complete statement of its receipts and expenditures.]

Any six members of the Commission shall constitute a quorum. No member of the Commission shall receive compensation for his services, but the actual expenses of any member in connection with the work of the Commission may be paid from any appropriations available for the purpose of carrying out the provisions of this Act: Provided, That nothing in this section shall be deemed to prohibit the payment to any member of the Commission who may be elected secretary or treasurer of the Commission of such compensation for the performance of his duties as secretary or treasurer, as may be determined by the Commission.

SEC. 2. The Commission shall elect its chairman, vice chairman, secretary, and treasurer. The chairman and the vice chairman shall, and the secretary and the treasurer may but need not, be elected from among the members of the Commission. The treasurer may be a bank or trust company. The treasurer shall execute a bond so conditioned and in such amount as shall insure the protection of funds coming into his possession. The Commission may create from its own membership an executive committee of five, which shall exercise such powers and functions within the purview of this Act as may be authorized by the Commission.

SEC. 3. The Commission shall, in accordance with designs and models prepared by the designer-sculptor, complete the Mount Rushmore National Memorial, including an entablature upon which shall be cut a suitable inscription, construction of a museum and a stairway to the museum hall, reconstruction of the studio for preservation of the model, landscaping of contiguous grounds, and construction of the entrance to the memorial. No charge shall ever be made for admission to the memorial grounds or for viewing the memorial.

SEC. 4. The Commission is authorized—

(a) To designate and describe by metes and bounds an area of not more than four thousand, nor less than two thousand, acres of the public lands of the United States within the Harney National Forest, State of South Dakota, immediately surrounding the Mount Rushmore National Memorial. Upon such designation such area is hereby reserved for and declared to be a part of the Mount Rushmore National Memorial, and withdrawn from location or entry under the mining or other laws of the United States. The Commission shall prepare a survey of such area and shall furnish a plat thereof to the Secretary of Agriculture, the Secretary of the Interior, and the United States land officer at Pierre, South Dakota: Provided, That this Act shall not defeat or affect any vested right under the mining or other laws of the United States and which is hereafter maintained in accordance therewith.

(b) To receive and take over all property, contracts, rights, and moneys heretofore possessed by the Mount Harney Memorial Association, including memoranda, records, sketches, models, and the incomplete figures on Mount Rushmore.

(c) To administer funds appropriated, or obtained by gifts, the acceptance of which is hereby authorized, for the purpose of completing, developing, and maintaining the memorial, and to pay out the same upon properly receipted vouchers to persons entitled thereto.

(d) To employ, without regard to the civil-service laws and the Classification Act of 1923, as amended, such artists, sculptors, landscape architects, and other employees as it shall determine to be necessary to carry out the purposes of this Act.

(e) To administer, protect, and develop the memorial.

(f) To exercise such other powers and functions, including the promulgation of such rules and regulations, as may be necessary and proper to carry out the purposes of this Act.

SEC. 5. For the purpose of carrying out the provisions of this Act, there is hereby authorized to be appropriated, in addition to any sums authorized to be appropriated prior to the date of approval of this Act, the sum of \$300,000, or so much thereof as may be necessary. Upon requisition of the Commission, the Secretary of the Treasury shall advance to the treasurer of the Commission, out of any amounts appropriated for such purpose, such sums as may be needed by the Commission to exercise its functions.

SEC. 6. The Commission shall, on or before the first day of each regular session of Congress, transmit to Congress a report of its activities and proceedings for the preceding fiscal year, including a full and complete statement of its receipts and expenditures.

Approved, February 25, 1929.